



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
701 S. COURTHOUSE ROAD, SUITE 1001  
ARLINGTON, VA 22204-2490

TJR  
Docket No: 3136-13  
19 February 2014

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, United States Code, Section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 19 February 2014. The names and votes of the members of the panel will be furnished upon request. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record, and applicable statutes, regulations, and policies.

After careful and conscientious consideration of the entire record, the Board found the evidence submitted was insufficient to establish the existence of probable material error or injustice.

You enlisted in the Marine Corps and began a period of active duty on 27 December 1983. You served for nearly six months without disciplinary incident, but during the period from 21 June 1984 to 28 May 1985, you received nonjudicial punishment (NJP) on three occasions for destruction of property (\$30 photograph), failure to go to your appointed place of duty, failure to obey a lawful order, making a false official statement, and five specifications of uttering insufficient funds checks totalling \$481.16.

Presumably you were notified of administrative separation by reason of misconduct due to drug abuse. After consulting with legal counsel, you elected to present your case to an administrative discharge board (ADB). In July 1985 an ADB recommended separation under honorable conditions by reason of misconduct due to a pattern of misconduct. Subsequently, your commanding officer, in concurrence with the ADB, also recommended separation under honorable conditions by reason of misconduct due

to a pattern of misconduct. The discharge authority approved these recommendations for separation and directed a general discharge under honorable conditions by reason of misconduct, and on 10 July 1985 you were so separated.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your post service conduct and desire to upgrade your discharge. Nevertheless, the Board concluded these factors were not sufficient to warrant relief in your case because of the seriousness of your repetitive misconduct which resulted in three NJPs. Accordingly, your application has been denied.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,



ROBERT D. ZSALMAN  
Acting Executive Director